

GAU 378

5-278
#26



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. Afanasenko et al

Express Mail Label No. EL 069 788 809 US

Box CPA
Assistant Commissioner for Patents
Washington, D.C. 20231

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

(submit an original and a duplicate for processing)

RECEIVED
AUG 25 1998
GROUP 3200

- I. This is a request for a
☒ continuation
☐ divisional

application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application no. 08/646,213 filed on May 7, 1996
entitled Device for Treatment of Patients with Disturbed Posture and Motor Activity Resulting From Cerebral Paralysis

Notes

The above-identified application, in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived under 35 U.S.C. 122 to the extent that if information or access is available to any one of the applications in the file wrapper of an application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

A continuation-in-part application is not permitted to be filed as a CPA and must be filed under 37 CFR 1.53(b).

In a CPA, reference to the prior applicaiton is not needed in the first sentence of the specificaiton and will not be entered if submitted.

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this CPA transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 8/19/98 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label No. 00000005 08/19/98 to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

08/21/1998 01 FC:231 02 FC:218
EL 069 788 809 US
395.00 DP
755.00 DP

Ingrid Mittendorf
(Type or print name of person mailing paper)

(Signature of person mailing paper)

NOTE: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing (37 CFR 1.10(b)).

1. _____ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. X A preliminary ~~amendment~~ response is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application..

 - a. _____ Delete the following inventor(s) named in the prior nonprovisional application

 - b. _____ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. _____ A new power of attorney or authorization of agent is enclosed.
5. Information Disclosure Statement (IDS) is enclosed

 - a. _____ PTO-1449
 - b. _____ Copies of IDS Citations

FEE CALCULATION

Number filed		CLAIMS AS FILED Number Extra		Rate	Basic Fee \$ 790.00
Total claims	3 -20=	0	x	\$ 22.00	0
Independent Claims (37 CFR 1.16(b))	1 -3=	0	x	\$ 82.00	0
Multiple dependent claim(s), if any (37 CFR 1.16(d))		0	x	\$270.00	0

 Fee for extra claims is not being paid at this time (37 CFR 1.16(d))

Filing Fee Calculation	\$ 790.00
reduction by 50% for filing by small entity	\$ 395.00
TOTAL	\$ 395.00

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims canceled by amendment, prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency. 37 CFR 1.16(d)).

6. Small Entity Statement

- ☒ A verified statement that this filing is by a small entity:
- a. ☐ is attached
- b. ☒ has been filed in the parent application and such status is still proper and desired (37 CFR 1.28(a)).
- c. ☐ is no longer claimed.

7. ☒ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application, or to credit any overpayments to Account No. 03-2468.

- ☒ 37 CFR 1.16(a), (f) or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
- ☒ 37 CFR 1.17 (application processing fees)

8. Attached is a check in the amount of \$ 395.00

9. Other _____

10. New correspondence address :
(The PTO will use the correspondence address listed on the file of the prior application unless otherwise notified):

11. Signature of applicant, attorney or agent required:

Name: Edward R. Freedman

Signature: 

Reg. No. 26,048

Date: Aug. 19, 1998

Encls.:

Check for \$ 395.00

Preliminary Response with three Declarations under Rule 132
containing Exhibits E, F and G

Contract dated Oct. 5, 1995 in Russian and English

Request for extension of time with check for \$ 755.00

6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

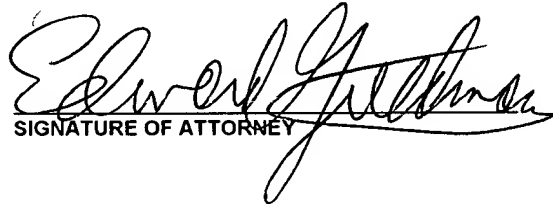
X If any additional extension and/or fee is required, charge account No.
03-2468.

AND/OR

X If any additional fee for claims is required, charge account No.
03-2468.

Reg. No.: 26,048

Tel No.: (516) 365-9802


SIGNATURE OF ATTORNEY

Edward R. Freedman

Type or print name of attorney

1077 Northern Boulevard

P.O. Address

Roslyn, New York 11576



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EL 069 788 809 US

Ingrid Mittendorf

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[Signature]
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